

Ward, Liza

From: Philip Hixon [phixon@mhla-law.com]
Sent: Friday, December 05, 2008 4:14 PM
To: Ward, Liza
Cc: Xidis, Claire; Scott McDaniel; Jinger Waller
Subject: RE: Peterson Financial Information

Elizabeth:

I have received your email. I will be in the office on Tuesday and Thursday if you wish to discuss these matters. In the interim, I will refer you to Peterson Farms' responses and objections to Plaintiffs' RFPs seeking financial information. They set forth our position on your request, and they have gone unchallenged for an appreciable time. Given that extended silence, I am at a loss as to understand the basis for your present position, now, on the eve of the deadline for Plaintiffs' damage reports. We have produced what we said we would produce in the RFPs, and we have recently supplemented that production.

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From: Ward, Liza [mailto:lward@motleyrice.com]
Sent: Friday, December 05, 2008 11:06 AM
To: Philip Hixon
Cc: Xidis, Claire
Subject: FW: Peterson Financial Information

This email just bounced back to me, so I am uncertain whether you received it. Please confirm receipt and let me know when you can discuss. Thanks.

Elizabeth "Liza" C. Ward | Attorney at Law | Motley Rice LLC
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From: Ward, Liza
Sent: Thursday, December 04, 2008 9:52 AM
To: Philip Hixon
Cc: Xidis, Claire
Subject: Peterson Financial Information



Dear Philip,

The State of Oklahoma's retained economist has reviewed the financial materials that you provided last week and has determined that they do not provide sufficient information for his analysis. It appears from the notation at the bottom of the pages with Bates Nos. PFIRWP-093419-426 that some information has been redacted. Please provide me with a description of the type of information that has been redacted. In addition, it appears that approximately half of Peterson's assets are tied up in the payables and receivables with affiliated entities. The economist needs to review something reflecting whether those transactions are arms length transactions. He has requested one of the following that reflects this information: (1) tax returns (including all schedules and attachments) for Peterson for the last 5 years; (2) consolidating financial statements for the last 5 years; or (3) audit reports with all attachments and accompanying notes for the last five years. As time is of the essence, please let me know immediately whether Peterson will produce the above-referenced information. Thank you.

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